IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE G. BHAVANI PRASAD

TAKEN UP WRIT PETITION NO. 1315 OF 2007

Dated : February 7, 2007

Between:

Pasupuleti Ganesh

Petitioner

AND

The Station House Officer,
Prathipadu Police Station,
Prathipadu, East Godavari District
and another

Respondents

ORAL ORDER: **(per the Hon'ble Sri Justice G.Bhavani Prasad)**

This taken up writ petition arises out of the telegram dated 17.01.2007 issued by Pasupuleti Ganesh, alleging that his brother Pasupuleti

Venkata Rama Rao, resident of Chintaluru village was wrongfully arrested and detained by the Station House Officer, Prathipadu Police Station from 12.01.2007.

The counter affidavit filed by the Sub-Inspector of Police, Prathipadu Police Station, East Godavari District, reveals that on reliable information on 14.01.2007 at about 10.00 a.m., the Sub-Inspector of Police and his party, reached outskirts of Chintaluru village and found six persons discussing about cock-fight and they apprehended the said persons along with the incriminating material i.e. three cock knives. The Sub-Inspector of Police, further stated that after registration of crime in Cr. No.10 to 15 of 2007 under Sec. 110(e) of the Code of Criminal Procedure, the occurrence report was filed before the Mandal Executive Magistrate, Prathipadu on the same day against the six persons including the alleged detenue. The Sub-Inspector of Police asserted that the Mandal Executive Magistrate, after obtaining bonds to be of good behaviour for a term of one year, released all the respondents including the alleged detenue, on 15.01.2007. The denials of the Sub-Inspector of Police about any

illegal detention of the alleged detenue are fortified by the First Information Report and other material produced along with the counter affidavit and it is obvious that the allegations made in the telegram are not fit to be acted upon. Therefore, nothing survives in the writ petition.

Consequently, the writ petition is dismissed. No order as to costs.

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D.S.R.Varma, J.

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G. Bhavani Prasad, J.

February 7, 2007
MAS